

HU_M1_Note_Motion_Withdraw.doc

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
POROX INTERNATIONAL CO., INC., : ECF CASE
Plaintiff, :
-against- : 07 CV 3256 (RJH)
HEYS USA INC., : NOTICE OF MOTION TO
Defendant. : WITHDRAW AS COUNSEL
: FOR DEFENDANT
-----X

PLEASE TAKE NOTICE that the undersigned attorney, Carl E. Person, will move this Court, before The Honorable Richard J. Holwell, United States District Judge, at Courtroom 17-B, in the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, at such date and time as may be determined by the Court, for an Order granting attorney Carl E. Person

- (1) permission to withdraw as attorney for defendant Heys USA, Inc.; and an order so relieving him as counsel in such action;
- (2) an adjournment and/or stay of all proceedings, to permit the defendant to obtain other counsel; and
- (3) such other and further relief as the Court deems just and proper.

Dated: New York, New York
November 6, 2007

Carl E. Peters

Carl E. Person (CP 7637)
Attorney for the Defendant,
Heys USA, Inc.
325 W. 45th Street - Suite 201
New York, New York 10036-3803
(212) 307-4444

CERTIFICATE OF SERVICE

Carl E. Person hereby declares, pursuant to the penalties of perjury under 28 U.S.C. § 1746, that the following statements are true and correct:

I am not a party to this action, am over 18 years of age, and on November 6, 2007, I served a true copy of the foregoing

**NOTICE OF MOTION TO WITHDRAW AS COUNSEL
FOR DEFENDANT**

dated November 6, 2007 (the "Document") on the attorneys for the Plaintiff and to the Defendant, Heys USA, Inc., by mailing a copy of the Document addressed as set forth below:

**Heys USA, Inc.
7950 NW 77th Street -Bldg C, Suite 1
Miami FL 33166**

**Steven C. Bennett, Esq. (SB 6380)
Bennett Offices
Law Offices of Steven Cullen Bennett
521 Fifth Avenue - Suite 1700
New York NY 10175**

**Thomas M. Furth, Esq. (TF 0758)
Kudman Trachten Aloe LLP
350 Fifth Avenue, Suite 4400
New York NY 10118**

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on November 6, 2007.



Carl E. Person